

**IN THE UNITED STATES DISTRICT COURT FOR
THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION**

SHERRI L. DAVIS, et al.,

Plaintiffs,

VS.

TMA FOREST PRODUCTS GROUP, et al.

Defendants.

CASE NUMBER:
2:06-cv-187-WKW-SRW

SPECIAL APPEARANCE OF D & D LUMBER COMPANY, INC.

Defendant D & D Lumber Company, Inc. (“D & D Lumber”) submits this Special Appearance for the limited purpose of opposing Plaintiffs’ Request for Entry of Default. D & D Lumber requests that this Honorable Court enter an order denying Plaintiffs’ Request for Entry of Default because Plaintiffs fraudulently joined D & D Lumber. D & D Lumber also submits that process and service of process are defective in this matter. D & D Lumber discusses these issues in further detail in its Opposition to Plaintiffs’ Request for Entry of Default and Motion to Dismiss, which has been filed contemporaneous herewith.

Respectfully Submitted,

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CERTIFICATE OF SERVICE

I hereby certify that on May 12, 2006, I served the foregoing upon the following persons via U.S. Mail:

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